

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF MICHIGAN

Case number (if known) _____ Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Burn Fitness, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 90-0514013

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

2576 S. Adams Road
Rochester, MI 48309

Number, Street, City, State & ZIP Code

Oakland
County

c/o Alyssa Tushman, Resident Agent
26675 Normandy
Franklin, MI 48025

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) burnfitnessclub.com

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check **all** that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☐ No ☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor See Attachment Relationship _____
District _____ When _____ Case number, if known _____

11. Why is the case filed in this district? Check all that apply:
- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention? (Check all that apply.)**
- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code
- Is the property insured?**
- ☐ No
- ☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds Check one:
- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated Assets
- | | | |
|---|--|--|
| <input type="checkbox"/> \$0 - \$50,000 | <input type="checkbox"/> \$1,000,001 - \$10 million | <input type="checkbox"/> \$500,000,001 - \$1 billion |
| <input type="checkbox"/> \$50,001 - \$100,000 | <input type="checkbox"/> \$10,000,001 - \$50 million | <input type="checkbox"/> \$1,000,000,001 - \$10 billion |
| <input type="checkbox"/> \$100,001 - \$500,000 | <input type="checkbox"/> \$50,000,001 - \$100 million | <input type="checkbox"/> \$10,000,000,001 - \$50 billion |
| <input checked="" type="checkbox"/> \$500,001 - \$1 million | <input type="checkbox"/> \$100,000,001 - \$500 million | <input type="checkbox"/> More than \$50 billion |

16. Estimated liabilities ☐ \$0 - \$50,000 ☒ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion

Debtor	Burn Fitness, LLC	Case number (if known)
	Name	
	<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million
	<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million
	<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million
		<input type="checkbox"/> \$1,000,000,001 - \$10 billion
		<input type="checkbox"/> \$10,000,000,001 - \$50 billion
		<input type="checkbox"/> More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 2021
MM / DD / YYYY

X /s/ Alyssa Tushman
Signature of authorized representative of debtor

Alyssa Tushman
Printed name

Title Manager and Authorized Agent

18. Signature of attorney

X /s/ Julie Beth Teicher
Signature of attorney for debtor

Date April 30, 2021
MM / DD / YYYY

Julie Beth Teicher (P34300)
Printed name

Maddin, Hauser, Roth & Heller, P.C.
Firm name

28400 Northwestern Hwy., 2nd Floor
Southfield, MI 48034
Number, Street, City, State & ZIP Code

Contact phone 248-351-7059 Email address jteicher@maddinhauser.com

(P34300) MI
Bar number and State

Fill in this information to identify your case:

United States Bankruptcy Court for the:
EASTERN DISTRICT OF MICHIGAN

Case number (if known) Chapter 11

☐ Check if this an amended filing

FORM 201. VOLUNTARY PETITION
Pending Bankruptcy Cases Attachment

Debtor	Burn Fitness-2, LLC	Relationship to you	Affiliate
District	Eastern District of Michigan	When	Case number, if known
Debtor	Burn Fitness-3, LLC	Relationship to you	Affiliate
District	Eastern District of Michigan	When	Case number, if known

Official Form 201A (12/15)

[If debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code, this Exhibit "A" shall be completed and attached to the petition.]

**United States Bankruptcy Court
Eastern District of Michigan**In re Burn Fitness, LLC

Debtor(s)

Case No.

Chapter

11**Attachment to Voluntary Petition for Non-Individuals Filing for
Bankruptcy under Chapter 11**

1. If any of the debtor's securities are registered under Section 12 of the Securities Exchange Act of 1934, the SEC file number is ____.

2. The following financial data is the latest available information and refers to the debtor's condition on ____.

a. Total assets \$ 0.00

b. Total debts (including debts listed in 2.c., below) \$ 0.00

c. Debt securities held by more than 500 holders:

Approximate
number of
holders:

secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<u>0.00</u>	<u>0</u>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<u>0.00</u>	<u>0</u>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<u>0.00</u>	<u>0</u>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<u>0.00</u>	<u>0</u>
secured	<input type="checkbox"/>	unsecured	<input type="checkbox"/>	subordinated	<input type="checkbox"/>	\$	<u>0.00</u>	<u>0</u>

d. Number of shares of preferred stock 0 0

e. Number of shares common stock 0 0

Comments, if any:

3. Brief description of Debtor's business:
Health and Fitness Center

4. List the name of any person who directly or indirectly owns, controls, or holds, with power to vote, 5% or more of the voting securities of debtor:
Burn Fitness Holdings LLC - 100% member
Members of Burn Fitness Holdings LLC are:
Alyssa Tushman - 51%
Mark DuFresne - 49%

Fill in this information to identify the case:

Debtor name Burn Fitness, LLC

United States Bankruptcy Court for the: EASTERN DISTRICT OF MICHIGAN

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration List of Equity Security Holders; Verification of Creditor Matrix; Statement of Debtor Regarding Corporate Ownership

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 2021

X /s/ Alyssa Tushman

Signature of individual signing on behalf of debtor

Alyssa Tushman
Printed name

Manager and Authorized Agent
Position or relationship to debtor

**United States Bankruptcy Court
Eastern District of Michigan**

In re Burn Fitness, LLC

Debtor(s)

Case No. _____

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Burn Fitness Holdings LLC c/o Alyssa Tushman, Res. Agent 26675 Normandy Franklin, MI 48025			Sole Member

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the Manager and Authorized Agent of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date April 30, 2021

Signature /s/ Alyssa Tushman

Alyssa Tushman, Manager and Authorized Agent

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

BURN FITNESS, LLC

EQUITY SECURITY HOLDERS MATRIX

Burn Fitness Holdings LLC
c/o Alyssa Tushman, Res. Agent
26675 Normandy
Franklin, MI 48025

**United States Bankruptcy Court
Eastern District of Michigan**

In re Burn Fitness, LLC

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Manager and Authorized Agent of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: April 30, 2021

/s/ Alyssa Tushman

Alyssa Tushman/Manager and Authorized Agent
Signer/Title

American Express
P. O. Box 0001
Los Angeles, CA 90096-8000

Consumers Energy
P. O. Box 740390
Cincinnati, OH 45274-0309

Northridge Livonia LLC
c/o Grand Sakwa Mgt, LLC
28470 13 Mile, #220
Farmington, MI 48334

Andrew M. Harris, Esq.
Kitch Drutchas Wagner et al
One Woodward Ave., Ste 2400
Detroit, MI 48226-5485

DTE
1 Energy Plaza
Detroit, MI 48226

Rochester Hills, City of - Treasure
16748 Collection Center Drive
Chicago, IL 60693-0167

Blue Cross Blue Shield
P. O. Box 674416
Detroit, MI 48267-3458

Mark DuFresne
3168 Rabeeh
Auburn Hills, MI 48326

Tech Johnny
4700 Lockhart St
West Bloomfield, MI 48323

Burn Fitness Holdings, LLC
c/o Alyssa Tushman, Resident Agent
26675 Normandy
Franklin, MI 48025

First Insurance Funding
459 Skokie Blvd., Ste 1000
Northbrook, IL 60062-3709

U.S. Attorney - E. D. Michigan
Attn: Civil Division
211 W. Fort St., Suite 2001
Detroit, MI 48226

Burn Fitness-2, LLC
c/o Alyssa Tushman, Resident Agent
26675 Normandy
Franklin, MI 48025

Gauss Group LLC
c/o The Farbman Group
28400 Northwestern Hwy., 4th Floor
Southfield, MI 48034

U.S. Small Business Administration
2 North St., #320
Birmingham, AL 35203

Burn Fitness-3, LLC
c/o Alyssa Tushman, LLC
26675 Normandy
Franklin, MI 48025

Alan Greene
Dykema
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304

U.S. Small Business Administration
14925 Kingsport Road
Fort Worth, TX 76155-2243

Burn Fitness-3, LLC
c/o Alyssa Tushman
26675 Normandy
Franklin, MI 48025

Legacy Bank
101 West Main
Hinton, OK 73047

Verizon Wireless
P. O. Box 408
Newark, NJ 07101-0408

Cintas
51518 Quadrate Drive
Macomb, MI 48042

Cheryl Luckoff
255 E. Brown Street, Suite 102
Birmingham, MI 48009

Comcast
P. O. Box 3005
Southeastern, PA 19398-3005

Midwest Strategy Group
101 S. Washington Square, Ste. 300
Lansing, MI 48933

Comerica Bank
39200 6 Mile Road
MC 7578
Livonia, MI 48152

Morganroth & Morganroth
344 N. Old Woodward, Suite 200
Birmingham, MI 48009